

7659-B

DEC 18 1974 - 21/008

INTERSTATE COMMERCE COMMISSION

AMENDMENT AGREEMENT, dated as of December 10, 1974, among NORTH AMERICAN CAR CORPORATION (hereinafter called the Lessee), AMERICAN SECURITY AND TRUST COMPANY, as Trustee (hereinafter called the Lessor), and FIRST SECURITY BANK OF UTAH, NATIONAL ASSOCIATION, as agent (hereinafter called the Assignee).

WHEREAS the Lessee and the Lessor have entered into a Lease of Railroad Equipment dated as of July 1, 1974 (hereinafter called the Lease);

WHEREAS the Lessor and the Assignee have entered into an Assignment of Lease and Agreement dated as of July 1, 1974 (hereinafter called the Assignment);

WHEREAS the Lease and the Lease Assignment were filed and recorded with the Interstate Commerce Commission pursuant to Section 20c of the Interstate Commerce Act on September 27, 1974, at 2:15 p.m., and on October 17, 1974, at 4:15 p.m., respectively, and were assigned recordation numbers 7659 and 7659-A, respectively; and

WHEREAS the parties hereto now desire to amend the Lease;

NOW, THEREFORE, in consideration of the mutual covenants and agreements herein contained, the parties hereto hereby agree as follows:

1. Schedule A to the Lease is hereby amended and restated in the following manner: *added*

<u>Type</u>	<u>Quantity</u>	<u>Lessee's Road Numbers</u> <u>(Both Inclusive)</u>
100-ton, 4750 cu. ft. capacity, covered hopper car	234	NAHX 46901-46920 <i>CSA</i> 46931-46934 ✓ 478755-478774 56385-56484 ✓ 56600-56674 56735-56749
100-ton, 5852 cu. ft. capacity, covered hopper car	18	NAHX 58163-58165 <i>CSA</i> 58167-58170 58192-58199 58202 58211-58212

2. The Lease Assignment is hereby amended to permit the aforesaid amendment to the Lease as though originally set forth therein.

3. The Lessee will promptly cause this Amendment Agreement to be filed and recorded in accordance with the provisions of Section 16 of the Lease.

4. Except as amended hereby, the Lease and the Lease Assignment shall remain unaltered and in full force and effect.

IN WITNESS WHEREOF, the parties hereto have caused their names to be signed hereto by their respective officers thereunto duly authorized, and their respective corporate seals, duly attested, to be hereunto affixed as of the day and year first above written.

7659-B

NORTH AMERICAN CAR CORPORATION,

(Corporate Seal)

Attest:

Richard E. Desormeaux  
Assistant Secretary

By

Louis H. Schuman  
Treasurer

AMERICAN SECURITY AND TRUST COMPANY,

By

John R. Whitmore  
Vice President

(Corporate Seal)

Attest:

Charles A. Grandle  
Assistant Secretary

FIRST SECURITY BANK OF UTAH,  
NATIONAL ASSOCIATION, as agent,

By

W. Starr Segmiller  
Authorized Officer

(Corporate Seal)

Attest:

Patricia O. Richards  
Authorized Officer

STATE OF ILLINOIS, )  
 ) ss.:  
COUNTY OF COOK, )

On this 12<sup>th</sup> day of December 1974, before me personally appeared Louis H. Schuur, to me personally known, who being by me duly sworn, says that he is ~~TREASURER~~ of NORTH AMERICAN CAR CORPORATION, that one of the seals affixed to the foregoing instrument is the corporate seal of said corporation, that said instrument was signed and sealed on behalf of said corporation by authority of its Board of Directors, and he acknowledged that the execution of the foregoing instrument was the free act and deed of said corporation.

Marshall Donack  
Notary Public

(Notarial Seal)

My Commission expires

Notary Public State of Illinois  
My Commission Expires December 18, 1976

DISTRICT OF COLUMBIA,)  
) SS.:

On this *18<sup>th</sup>* day of *DECEMBER* 1974, before me personally appeared *JOHN R. WHITMORE*, to me personally known, who being by me duly sworn, says that he is Vice President of AMERICAN SECURITY AND TRUST COMPANY, that one of the seals affixed to the foregoing instrument is the corporate seal of said company, that said instrument was signed and sealed on behalf of said company by authority of its Board of Directors, and he acknowledged that the execution of the foregoing instrument was the free act and deed of said company.

*Gregory M. Philbrick*  
Notary Public

(Notarial Seal)

My Commission expires *6-30-76*.

STATE OF UTAH,            )  
                              ) ss.:  
COUNTY OF SALT LAKE,)

On this *17th* day of *December* 1974, before me personally appeared *W. Stark Seignulle*, to me personally known, who being by me duly sworn, says that he is an Authorized Officer of FIRST SECURITY BANK OF UTAH, NATIONAL ASSOCIATION, that one of the seals affixed to the foregoing instrument is the corporate seal of said association, that said instrument was signed and sealed on behalf of said association by authority of its Board of Directors, and he acknowledged that the execution of the foregoing instrument was the free act and deed of said association.

*Debbie J. Kargenfeld*  
Notary Public

(Notarial Seal)

My Commission expires

*July 22, 1978*